Listing and Amendment of the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-20. (cancelled)

21. (currently amended) A method for operating a television apparatus, the method comprising steps of:

~~requesting, via said television apparatus, first program guide data;~~

~~initiating, via said television apparatus, acquisition of said first program guide data in response to said request, wherein if a broadcaster provides second program guide data to said television apparatus without being requested by said television apparatus while said television apparatus is acquiring said first program guide data, said television apparatus uses said second program guide data instead of said first program guide data; and~~

~~enabling, via said television apparatus, display of a banner including information for a future program in response to one of said first program guide data and said second program guide data~~

tuning a channel;

receiving an updated program guide from a broadcaster while said channel is tuned, wherein said updated program guide is provided from said broadcaster without being requested by said television apparatus;

in response to receiving said updated program guide, determining if a banner advertising a future program on said channel is currently displayed while said channel is tuned;

in response to determining that said banner is currently displayed while said channel is tuned, performing a first function while said channel is tuned; and

in response to determining that said banner is not currently displayed while said channel is tuned, performing a second function different from said first function while said channel is tuned.

22. (currently amended) The method of claim 21, ~~wherein said requesting step is automatically performed~~ further comprising a step of requesting said updated program guide from said broadcaster a predetermined time period before a detected end time of a currently tuned program.

23. (previously presented) The method of claim 21, wherein said banner includes at least one of: a title of said future program, a starting time of said future program, and a duration of said future program.

24. (previously presented) The method of claim 23, wherein said future program is a next program on a currently tuned channel.

25. (currently amended) The method of claim 21, wherein said ~~second program guide data includes an updated electronic program guide~~ first function includes updating said currently displayed banner with new information based on said updated program guide.

26. (previously presented) The method of claim 22, wherein said predetermined time period is selected by a user of said television apparatus.

27. (currently amended) The method of claim 21, ~~further comprised of said television apparatus performing steps of:~~
~~determining if said banner is currently displayed in response to receiving said second program guide data;~~
~~enabling display of said banner using said second program guide data in response to determining that said banner is not currently displayed; and~~
~~updating said banner using said second program guide data in response to determining that said banner is currently displayed~~
wherein said second function includes enabling display of said banner based on said updated program guide.

28. (currently amended) A television apparatus, comprising:

means for tuning ~~a program on~~ a channel;

~~means for requesting first program guide data and initiating acquisition of said first program guide data in response to said request, wherein if a broadcaster provides second program guide data to said television apparatus without being requested by said television apparatus while said television apparatus is acquiring said first program guide data, said television apparatus uses said second program guide data instead of said first program guide data; and~~

~~means for enabling display of a banner including information for a future program on said channel in response to one of said first program guide data and said second program guide data~~

means for receiving an updated program guide from a broadcaster while said channel is tuned, wherein said updated program guide is provided from said broadcaster without being requested by said television apparatus; and

means for determining if a banner advertising a future program on said channel is currently displayed while said channel is tuned in response to receiving said updated program guide; and wherein:

if said determining means determines that said banner is currently displayed while said channel is tuned, a first function is performed while said channel is tuned; and

if said determining means determines that said banner is not currently displayed while said channel is tuned, a second function different from said first function is performed while said channel is tuned.

29. (currently amended) The television apparatus of claim 28, ~~wherein said request for said first program guide data is automatically made~~ further comprising means for requesting said updated program guide from said broadcaster a predetermined time period before a detected end time of a currently tuned program on said channel.

30. (previously presented) The television apparatus of claim 28, wherein said banner includes at least one of: a title of said future program, a starting time of said future program, and a duration of said future program.

31.   (previously presented) The television apparatus of claim 28, wherein said future program is a next program on said channel.

32.   (currently amended) The television apparatus of claim 28, wherein said ~~second program guide data includes an updated electronic program guide~~ first function includes updating said currently displayed banner with new information based on said updated program guide.

33.   (previously presented) The television apparatus of claim 29, wherein said predetermined time period is selected by a user of said television apparatus.

34.   (currently amended) The television apparatus of claim 33, wherein~~:~~
~~said requesting means determines if said banner is currently displayed in response to said television apparatus receiving said second program guide data;~~
~~said banner is displayed using said second program guide data in response to said requesting means determining that said banner is not currently displayed; and~~
~~said banner is updated using said second program guide data in response to said requesting means determining that said banner is currently displayed~~ said second function includes enabling display of said banner based on said updated program guide.

35.   (currently amended) A television apparatus, comprising:
a tuner operative to tune ~~a program on~~ a channel;
an input operative to receive an updated program guide from a broadcaster while said channel is tuned, wherein said updated program guide is provided from said broadcaster without being requested by said television apparatus; and
a controller operative to ~~request first program guide data and enable acquisition of said first program guide data in response to said request, wherein if a broadcaster provides second program guide data to said television apparatus without being requested by said television apparatus while said television apparatus is acquiring said first program guide data, said television apparatus uses said second program guide data instead of said first program guide data, and wherein a banner including~~

~~information for a future program on said channel is automatically displayed in response~~ ~~to one of said first program guide data and said second program guide data~~ determine if a banner advertising a future program on said channel is currently displayed while said channel is tuned in response to reception of said updated program guide; and wherein:

if said controller determines that said banner is currently displayed while said channel is tuned, a first function is performed while said channel is tuned; and

if said controller determines that said banner is not currently displayed while said channel is tuned, a second function different from said first function is performed while said channel is tuned.

36. (currently amended) The television apparatus of claim 35, ~~wherein said~~ ~~request for said first program guide data is automatically made~~ further comprising means for requesting said updated program guide from said broadcaster a predetermined time period before a detected end time of a currently tuned program on said channel.

37. (previously presented) The television apparatus of claim 35, wherein said banner includes at least one of: a title of said future program, a starting time of said future program, and a duration of said future program.

38. (currently amended) The television apparatus of claim 35, wherein said ~~second program guide data includes an updated electronic program guide~~ first function includes updating said currently displayed banner with new information based on said updated program guide.

39. (previously presented) The television apparatus of claim 36, wherein said predetermined time period is selected by a user of said television apparatus.

40. (currently amended) The television apparatus of claim 39, wherein~~:~~
~~said controller determines if said banner is currently displayed in response to~~
~~said television apparatus receiving said second program guide data;~~

~~said banner is displayed using said second program guide data in response to said controller determining that said banner is not currently displayed; and~~

~~said banner is updated using said second program guide data in response to said controller determining that said banner is currently displayed~~ <u>said second function includes enabling display of said banner based on said updated program guide</u>.